

House File 2333 - Introduced

HOUSE FILE 2333

BY J. TAYLOR

A BILL FOR

- 1 An Act relating to appropriations to the indigent defense fund.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 815.11, Code 2011, is amended by striking
2 the section and inserting in lieu thereof the following:

3 **815.11 Appropriations for indigent defense — indigent**
4 **defense fund.**

5 1. There is appropriated each year from the general fund
6 of the state to the office of the state public defender in the
7 department of inspections and appeals an amount necessary to
8 pay the costs incurred for the legal representation of indigent
9 persons by court-appointed attorneys.

10 2. Moneys appropriated pursuant to subsection 1 shall be
11 deposited in an account to be known as the indigent defense
12 fund under the control of the department of inspections and
13 appeals.

14 3. *a.* Costs incurred for legal representation by a
15 court-appointed attorney on behalf of an indigent under chapter
16 229A, 665, 822, or 908, or section 232.141, subsection 3,
17 paragraph "d", or section 598.23A, 600A.6B, 814.9, 814.10,
18 814.11, 815.4, 815.7, or 815.10 shall be paid from the fund.

19 *b.* Costs incurred representing an indigent defendant in
20 a contempt action, or representing an indigent juvenile in a
21 juvenile court proceeding, are also payable from the fund.

22 *c.* Costs incurred in any administrative proceeding or in
23 any other proceeding under this chapter or chapter 598, 600,
24 600A, 633, 633A, 814, or 915 or other provisions of the Code or
25 administrative rules are not payable from the fund.

26 EXPLANATION

27 This bill relates to appropriations to the indigent defense
28 fund.

29 The bill establishes a standing unlimited appropriation to
30 the indigent defense fund. Under the bill, there shall be an
31 appropriation each year from the general fund of the state to
32 the office of the state public defender for an amount necessary
33 to pay the costs incurred for the legal representation of
34 indigent persons.

35 Current law provides the costs incurred for the legal

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1 representation of an indigent person by a court-appointed
2 attorney be paid from moneys appropriated by the general
3 assembly.